

# The Comparative Youth Penalty Project



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## Project Newsletter August 2015

The Comparative Youth Penalty Project (CYPP) is an ARC Discovery Project led by Professor Chris Cunneen, Professor Eileen Baldry, Emeritus Professor David Brown, Melanie Schwartz and Professor Barry Goldson (University of Liverpool).

The CYPP is an international comparative study of youth punishment in Australia (focusing on NSW, Victoria, Queensland and WA) and in England and Wales. The project aims to analyse developments in the punishment of children and young people over the last 30 years. This is the first in-depth analysis of Australian youth penalty and the first comparative study of youth punishment across these jurisdictions.

The Project seeks to answer the following questions:

- What are the defining features of contemporary juvenile justice penalty?
- How has youth penalty changed since the early 1980s across the jurisdictions that are the subject of this project?
- How have changing approaches to youth penalty impacted upon particular social groups, including racial minorities, Indigenous youth, young women, and young people with mental and cognitive disabilities?
- What, if any, jurisdictional differences are to be found in discourses on community safety, the nature of childhood and youth (including child welfare and protection), the appropriateness of rehabilitation and the character of punishment practices for youth?

- How has the development of a human rights framework impacted on penal law, policy and practice as applied to youth? What impact, if any, has a children's rights framework had on differentiating youth justice from adult penal systems?

This newsletter provides stakeholders with an update on the progress of the CYPP. It also lists some of the latest news and research in the field of youth penalty. For more information please visit our [website](#) or contact CYPP Research Associate, Sophie Russell.

## CYPP News

### Interviews

Interviews across Australia with experts and young people have been nearly completed, with researchers pleased at the range of insights and perspectives that being expressed. These interviews will be foundational to informing the progress of the project as it develops.

### Professor Barry Goldson's visit to Australia

CYPP was delighted to have Professor Goldson visit Australia in August. Professor Goldson participated in an event hosted by UNSW at which he presented on the topic of 'Reading juvenile justice law, policy and practice: macro, mezzo and micro units of analysis,' before engaging in a Q&A panel with Professor Eileen Baldry and Professor Chris Cunneen.

Professor Goldson's visit also provided an opportunity for members of the CYPP to meet and analyse preliminary findings from Australia and the UK and determine the key themes and structure of the project over the next 16 months.

## News (Australia & UK)

### Australia

['Victorian youths commit serious crimes despite rate of juvenile offending falling'](#) Nino Bucci, *The Sydney Morning Herald*, 5 April 2015

['Program to stop crime among Vic youth'](#) AAP, *Sky News*, 14 April 2015

['Change the Record: Plan to reduce Indigenous imprisonment rates'](#) Lindy Kerin, *ABC News – The World Today*, 30 April 2015

[‘NT Corrections ‘embarrassed’, vows action after latest in string of teenage breakouts’](#), Nadia Daly and Xavier La Canna, *ABC News*, 2 June

[‘Parents, welfare to blame for children in NT custody, Attorney-General John Elferink says’](#) Kate Wild, *ABC News*, 3 June 2015

[‘Use of isolation, behaviour management in Darwin’s Don Dale youth prison questioned’](#) Emilia Terzon, *ABC News*, 4 June 2015

[‘Queensland drops ‘expensive failure’ of boot camps for young people’](#) AAP, *The Guardian*, 20 August 2015

## UK

[‘G4S-run youth jail criticised over degrading treatment of detainees’](#) Alan Travis, *The Guardian*, 20 May 2015

[‘Staff at G4S youth detention centre sacked for being ‘high on drugs’’](#) Richard Ford, *The Times*, 20 May 2015

[‘Criminal Justice Inspectorate: Under 18s prison care ‘needs change’’](#) BBC, 29 May 2015

[‘Sharp rise in the proportion of young black and ethnic minority prisoners’](#) Alastair Sloan and Eric Allison, *The Guardian*, 24 June 2015

[‘UN human rights body criticises police stop-and-search powers in Scotland’](#), Severin Carrell, *The Guardian*, 25 July 2015

## Research

**Amnesty International**, 2015 [‘A brighter tomorrow: Keeping Indigenous kids in the community and out of detention in Australia’](#) *Amnesty International Australia*

**Australian Institute of Health and Welfare**, 2015, [‘Youth Justice in Australia 2013-14’](#) *Australian Institute of Health and Welfare*

**Chiller, Aimee & Mignot, Belinda**, 2015, [‘Young people, youth justice and homelessness’](#) *Parity* 28(3), 20

**Haines, Alicia et al**, 2015, '[Offending outcomes of a youth diversion pilot scheme in England](#)' *Criminal Behaviour and Mental Health*, 25(2), 126

**Homel, Ross et al.**, 2015, '[Preventing the onset of youth offending: The impact of the Pathways to Prevention Project on child behaviour and wellbeing](#)' Australian Institute of Criminology, *Trends & Issues in Crime and Criminal Justice* no. 481

**Hutchinson, Terry**, 2014, '[Making the fun stop: youth justice reform in Queensland](#)' *Deakin Law Review* 19(2), 243

**O'Toole, S., O'Leary, J., & Watt, B.D.** 2015. '[Fitness to plead in Queensland's youth justice system: The need for pragmatic reform.](#)' *Criminal Law Journal*, 39(1), 40-52

**Papalia, Nina et al.**, 2015, '[Changes in the prevalence and nature of violent crime by youth in Victoria, Australia](#)' *Psychiatry, Psychology & Law* 22(2), 213

**Robinson, Angela & Bartkowiak-Theron, Isabelle**, 2014, '[Policing Youth Curfews: The 'Wee Willie Winkie' Model of Enforcing Bail Convictions](#)' *Journal of the Australasian Institute of Policing* 6(2), 10

**Rowse, Tim**, 2015, '[Historical reasoning about Indigenous imprisonment: A community of fate?](#)' *Australian Review of Public Affairs*

**Rynne, John & Cassematis, Peter**, 2015, '[Assessing the Prison Experience for Australia's First Peoples: A Prospective Research Approach](#)' *International Journal for Crime, Justice and Social Democracy*

**Spiranovic, Caroline, Clare, Joseph, Bartels, Lorana et al.**, 2015 '[Aboriginal Young People in the Children's Court of Western Australia: Findings from the National Assessment of Australian Children's Courts](#)' *University of Western Australia Law Review*, 38(2), 86

**Trotter, Chris, Baidawi, Susan & Evans, Phillipa**, 2015, '[Good Practice in Community Based Supervision of Aboriginal Youth Offenders](#)' *Australian Social Work*, 68(1), 5

**Warner, Kate & Bartels, Lorana**, 2015, '[Juvenile Sex Offending: Its Prevalence and the Criminal Justice Response](#)' *University of New South Wales Law Journal*, 38(1), 48

**Whittington, Richard; Haines Alina; McGuire, James**, 2015, '[Diversion in youth justice: a pilot study of effects on self-reported mental health problems](#)' *The Journal of Forensic Psychiatry & Psychology*, 26(2), 260

Xin Yi Chua, Sarah & Foley, Tony [‘Implementing Restorative Justice to address Indigenous Youth Recidivism and Over-Incarceration in the ACT: Navigating Law Reform Dynamics’](#) *Australian Indigenous Law Review*, 18(1), 138

## Events

**David Brown** and **Alisa Wicks** recently presented their work ‘Iconic cases in Australia, Juvenile Justice and their effects’ at the **European Society of Criminology Conference** on 5 September 2015.

The paper, which is part of the Comparative Youth Penalty Project, examines a number of Australia iconic cases involving young people convicted of violent crimes. It traces the various media, public, and political responses to these crimes, and the key themes in and discourses through which the cases were framed. The paper also discusses cases that triggered much more muted responses and some that elicited no response at all, in an attempt to illuminate variable and conflicting dimensions in youth justice penalty.

The **2015 ANZSOC Conference** is being held in Adelaide from Wednesday 25 – Friday 27 November. The topic for this year’s conference is “Security and Rule of Law: The changing face of criminal justice”. For more information about the conference, or to register, please visit the [ANZSOC website](#).